MOTION FILED
OCT - 9 1985

No. 85-356

In The

Supreme Court of the United States

October Term, 1984

JAMES T. OMAN, FRED R. WALKER, WILLIE A. GIBBONS, and HUGH V. REYNOLDS,
Petitioners,

v.

H. K. PORTER CO., RAYMARK INDUSTRIES, INC. and PITTSBURGH CORNING CORP.,
Respondents.

MOTION FOR LEAVE TO FILE BRIEF AMICUS CURIAE ON BEHALF OF ASSOCIATION OF TRIAL LAWYERS OF AMERICA IN SUPPORT OF PETITION FOR CERTIORARI

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TO THE HONORABLE JUSTICES OF THE SUPREME COURT OF THE UNITED STATES:

The Association of Trial Lawyers of America respectfully moves this Court for leave to file the accompanying brief in this case as amicus curiae, in support of the Petition for Writ of Certiorari herein.

The consent of counsel for the petitioners herein has been obtained; however, the applicant has requested consent of counsel for the respondents herein, but counsel for the respondents have refused to consent to the filing of a brief by the Association of Trial Lawyers of America as amicus curiae.

The applicant, the Association of Trial Lawyers of America, is a national bar association consisting of more than 50,000 lawyers who primarily represent plaintiffs in personal injury and death litigation. The Admiralty Law Section includes most of the attorneys throughout the United States who specialize in maritime personal injury law.

The applicant has an interest in this case in that it is of great importance and will have national impact. A decision by this Court recognizing admiralty jurisdiction in and applying Federal Maritime Law to the claims of shipyard workers injured on board

vessels by asbestos exposure will affect the welfare of thousands of injured shipyard workers, throughout the United States, most of whom are represented by members of the Association of Trial Lawyers of America.

We believe that, based on our research and analysis of the law and our experience in the maritime law, and in the interest of safety of workmen aboard vessels, our brief argument will be of assistance to the Court.

If applicant's argument is approved by this Court, the Petition for Writ of Certiorari should be granted, and the decision of the Court below must be reversed.

WHEREFORE, the Association of Trial Lawyers of America respectfully moves the Court for leave to file the accompanying brief in this case as amicus curiae.

Respectfully submitted on behalf of the Association of Trial Lawyers of America, Peter Perlman, President, Ross Diamond III, Chairman, Admiralty Law Section

Counsel for amicus curiae:

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PROOF OF SERVICE

I, Ross Diamond III, attorney of record for the Association of Trial Lawyers of America, applicant herein, and a member of the bar of the Supreme Court of the United States, hereby certify that, on the 7th day of October, 1985, I served copies of the foregoing motion for leave to file brief amicus curiae in support of Petition for Writ of Certiorari, on the several parties herein, as follow:

1. On James T. Oman, Fred R. Walker, Willie A. Gibbons, and Hugh V. Reynolds, Petitioners, by mailing copies in a duly addressed envelope, with first class postage prepaid, to their attorney of record as follows:

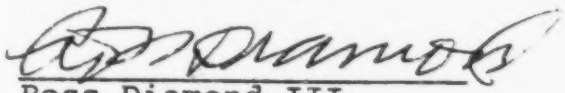
Joel I. Klein
Attorney for Petitioners
Onek, Klein & Farr
2550 M Street, N.W.
Washington, D.C. 20037

2. On H. K. Porter Co. and Pittsburgh Corning Corp., Respondents, by mailing copies in a duly addressed envelope, with first class postage prepaid, to their attorney of record, as follows:

Archibald Wallace III
Sands, Anderson, Marks & Miller
Post Office Box 1998
Richmond, Virginia 23216

3. On Raymark Industries, Inc., Respondent, by mailing copies in a duly addressed envelope, with first class postage prepaid, to its attorney of record, as follows:

William B. Hoyle
Hoyle, Corbett, Hubbard & Smith
Post Office Box 1456
Newport News, Virginia 23601



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